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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91209290
Party	Defendant Nutri-Health Supplements, LLC
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Submission	Motion to Amend Application
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Signature	/Catherine Dugan O'Connor/
Date	09/18/2014
Attachments	ConsentMotiontoAmendApplication.pdf(26019 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

IN THE MATTER OF APPLICATION SERIAL NO. 85/625,402

BACH FLOWER REMEDIES LIMITED)	
)	
Opposer,)	
)	Opposition No. 91209290
v.)	
)	
NUTRI-HEALTH SUPPLEMENTS, LLC)	
)	
Applicant.)	

**CONSENTED-TO MOTION TO AMEND THE IDENTIFICATION OF GOODS
IN THE APPLICATION**

Pursuant to 37 C.F.R. 2.133(a) and TBMP Section 514.02, Applicant, Nutri-Health Supplements, LLC (“Applicant”), hereby moves for the Board’s approval of the following proposed amendment to the identification of goods set forth in U.S. Trademark Application Serial No. 85/625,402 (the “402 Application”). This motion is made with the consent of Opposer, Bach Flower Remedies Limited.

International Class 5: **Dietary supplements for healthy aging, core energy and cellular protection; ~~Nutritional supplements~~**

Thus, if the proposed amendment is accepted, the final identification would read as follows:

International Class 5: **Dietary supplements for healthy aging, core energy and cellular protection**

This amendment is appropriate and complies with the applicable rules and statutory provisions, in that it does not broaden the identification, but merely limits and clarifies the

identification. See 37 C.F.R. Sec. 2.71(a); TMEP 1402.06. This amendment is not offered for the purposes of expanding the substance of any registration resulting from the '402 application.


Because the Applicant believes that the proposed amendment is not a substantial or material alteration which would be relied upon by potential opposers, it is respectfully submitted that the application will not require republication.

Counsel for Opponent, Donna J. Bunton, Esq. of Nixon & Vanderhye P.C., 901 North Glebe Road, 11th Floor Arlington, VA 22203, has consented to the amendment, and to the filing of this motion, by electronic mail communication.

WHEREFORE, Applicant Nutri-Health Supplements, LLC moves to amend Application Serial No. No. 85/625,402 as set forth herein.

Applicant,

NUTRI-HEALTH SUPPLEMENTS, LLC

By: 
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CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of September, 2014 a true and correct copy of the foregoing Answer to Notice of Opposition was served upon the attorneys of record for the Opposer by electronic mail and first class mail, postage prepaid, in an envelope addressed as follows:

Donna J. Bunton, Esq.
Nixon & Vanderhye P.C.
901 North Glebe Road, 11th Floor
Arlington, VA 22203
djb@nixonvan.com

A handwritten signature in black ink, appearing to read "Cath O'Connor", with a long horizontal flourish extending to the right.

Catherine Dugan O'Connor